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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 RAMON SILVA,

10 Plaintiff,

Case No. C19-619-RAJ-MLP

11 v.

12 TROY BACON, *et al.*,

13 Defendants.

ORDER CONTINUING NOTING DATES  
OF PENDING SUMMARY JUDGMENT  
MOTIONS

14 This is a civil rights action proceeding under 42 U.S.C. § 1983. This matter comes before  
15 the Court at the present time on the parties' motions to continue the noting dates of Plaintiff's  
16 two pending summary judgment motions. (Dkt. ## 55, 59.) Plaintiff seeks an extension of the  
17 noting date of his first motion for summary judgment from November 22, 2019 to December 24,  
18 2019 to permit him time to file a reply brief in support of his motion. (Dkt. # 55.) Plaintiff  
19 maintains that he did not have an opportunity to file a timely reply because he was involuntarily  
20 transferred to Western State Hospital on November 12, 2019 and he did not receive his mail until  
21 two weeks after his return to the King County Jail on November 26, 2019. (*Id.*) Defendants, in  
22 their response to Plaintiff's motion, indicate that they do not oppose a brief extension, but they

23 ORDER CONTINUING NOTING DATES  
OF PENDING SUMMARY JUDGMENT  
MOTIONS - 1

1 request that the new noting date be set for December 20, 2019 rather than December 24, 2019 as  
2 requested by Plaintiff. (*See* Dkt. # 57.) The Court received Plaintiff's reply brief for filing on  
3 December 20, 2019. (Dkt. # 63.)

4 Defendants seek to continue the noting date of Plaintiff's second motion for summary  
5 judgment from January 3, 2020 to January 10, 2020, because the original noting date would  
6 require Defendants to file a response to Plaintiff's motion during a period of time when  
7 Defendants' counsel had notified Plaintiff and the Court they would be unavailable. (Dkt. # 59.)  
8 Plaintiff has not opposed Defendants' requested continuance.

9 The continuances requested by the parties appear reasonable under the circumstances. It  
10 is also reasonable, and in the interests of judicial efficiency, to consider Plaintiff's two pending  
11 motions for summary judgment at the same time.

12 Accordingly, the Court ORDERS as follows:

13 (1) Plaintiff's motion for an extension of the noting date of his first motion for  
14 summary judgment (dkt. # 55) is GRANTED. Plaintiff's first motion for summary judgment  
15 (dkt. # 39) is RENOTED on the Court's calendar for consideration on **January 10, 2020**. The  
16 briefing with respect to this motion is now complete and no further briefing will be accepted.

17 (2) Defendants' motion for a continuance of the noting date of Plaintiff's second  
18 motion for summary judgment (dkt. # 57) is GRANTED. Plaintiff's second motion for summary  
19 judgment (dkt. # 54) is RENOTED on the Court's calendar for consideration on **January 10,**  
20 **2020**. Defendants' response to that motion is due not later than **January 6, 2020**, and any reply  
21 by Plaintiff is due not later than the date on which the motion is noted for consideration.

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23 ORDER CONTINUING NOTING DATES  
OF PENDING SUMMARY JUDGMENT  
MOTIONS - 2

(3) The Clerk is directed to send copies of this Order to Plaintiff, to counsel for Defendants, and to the Honorable Richard A. Jones.

Dated this 26th day of December, 2019.

  
MICHELLE L. PETERSON  
United States Magistrate Judge